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ODP 81-1761

5 JAN 1982

MEMORANDUM FOR: Special Support Assistant, DDA

FROM: Bruce T. Johnson
Director of Data Processing

SUBJECT: Cover-in-Separation Guidelines. (S)

REFERENCE: Your memo dtd 21 Dec, same subject.

1. The draft guidelines proposed in the attachment to reference are, in my view, quite inadequate. The problem is far more complex than these guidelines seem to recognize, whether the subject is viewed from the point of view of the organization or the point of view of the individual employee. Indeed, to be effective, the guidelines should reflect the needs of both organization and individual. (S)

2. I find the language loose and ill defined and internally inconsistent. For example, having specifically stated that "separation" is to be used instead of "retirement" in order to make the guidelines more general, the draft continues to make use of the word "retirement." A number of other terms are used which appear to need definition, as in the first paragraph where "other elements concerned" are alluded to. What elements are these, the employee will wonder, and most particularly, what significance will be attached to the preferences of organizations "outside the Agency?" Does this imply that cover organizations will have final control over the Cover-in-Separation decision? (S)

3. The term "post employment" in this context clearly means "post Agency employment" but the potential for misunderstanding remains when one considers that other kinds of employment are likely after separation from CIA. Would not the phrase "after separation" be preferable? (S)

4. Nowhere is reference made to the significance of organizational ability to provide [redacted] maintained after separation. The concerned employee has a right to expect that these guidelines will reflect some organizational commitment to protect his interests after separation if he is to be kept under cover. (S)

5. What constitutes "long term?" The vagueness of the phrase may make many readers uneasy. (S)

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6. How will the review panel chaired by the Director of Personnel be constituted? Can the employee expect someone from his own chain of command to speak for him on such a panel? Will he have direct and personal access to that panel? (S)

7. Finally, the guidelines are deficient in neglecting to provide any reference to the weight which will be given to the employee's personal preferences. They also fail to make clear how the guidelines will be applied to individuals whose cover experience predates the adoption of the guidelines. A "grandfather" clause should be included for those employees whose Summaries of Agency Employment were approved prior to the issuance of the guidelines. Employees with intermittent cover who have conducted themselves as overt employees in accordance with present cover policy should also be exempted. (S)

8. Many of the above concerns are addressed in a report issued by the cover task force on 16 November 1981 (copy attached). This report appears to be the impetus for the 21 December guidelines, but its message has been largely overlooked. When the guidelines are issued they should:

- a. Address all the recommendations in paragraph 6 of the 16 November report, as well as
- b. Address the "employee perceptions" issues cited in paragraph 3 of that report, and
- c. Address the cover verification procedures described in paragraph 4. (S)

9. When the guidelines, modified to make them more helpful to the employee, are finally promulgated, I hope an effort will be made to communicate some organizational concern for the problems created for the employee by imposing cover status upon him. In the past we have considered cover as one of those "givens" about which relatively few questions were asked, at least as far as the future implications of cover decisions were concerned. We should be thinking about a far more carefully constructed contractual relationship in which joint organizational and individual commitments are carefully recorded so that the true costs of cover can be weighed while there is still time to influence the selection of that cover. (S)

/s/ Bruce T. Johnson

Bruce T. Johnson

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